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The Honorable William H. Alsup
United States District Court, Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Re: *Oracle America, Inc. v. Google Inc.*, No. 3:10-CV-03561-WHA (N.D. Cal.)

Dear Judge Alsup:

Oracle opposes Google's request to file a motion for summary judgment on Oracle's infringement allegations under 35 U.S.C. § 271(c). Google is mistaken that the Supreme Court's ruling in *Microsoft Corp. v. AT&T Corp.*, 550 U.S. 437 (2007) regarding section 271(f) applies also to section 271(c). Moreover, Google's argument that it does not "sell, offer to sell, or import" Android is partly a factual question not susceptible to resolution on summary judgment in Google's favor. Oracle respectfully requests an extension until 5 p.m. today to submit a more complete response to Google's précis. Google has indicated that it does not oppose an extension.

Respectfully submitted,

/s/ Michael A. Jacobs

Michael A. Jacobs